



Attorney Docket No.: P-2038-US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): MERON, Gavriel et al. Examiner: COUNTS, Gary W.
Serial No.: 10/036,490 Group Art Unit: 1641
Filed: January 7, 2002
Title: SYSTEM AND METHOD FOR DETERMINING THE PRESENCE OF A
SUBSTANCE IN-VIVO

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 C.F.R. §§1.56, 1.97 and 1.98, this Information Disclosure Statement includes Form PTO/SB/08:

1. ☐ listing documents including patents, publications and other information for consideration by the Examiner, however, since the subject application was filed after June 30, 2003, copies of United States patents and/or United States patent application publications are not included in this information disclosure statement; and/or
2. ☐ listing documents including patents, publications and other information that have been previously cited or submitted to the Patent Office in prior application U.S. Serial No. _____, filed _____ which is properly identified and relied on for an earlier effective filing date under 35 U.S.C. 120 for consideration by the Examiner; however, in accordance with 37 C.F.R. 1.98(d), copies of such documents are not included in this information disclosure statement; and/or
3. ☒ listing documents including patents, publications, and other information for consideration by the Examiner, copies of which are included with this information disclosure statement;
4. ☐ listing other information for the Examiner's consideration which was cited in a communication from a foreign patent office in a counterpart foreign application, a copy of which is included with this information disclosure statement.

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Page 2

The information herein cited is only in fulfillment of Applicant(s) duty of candor in disclosing all information brought to Applicant(s) attention. This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art". If it should be determined that any of the listed documents do not constitute "prior art" under United States law, Applicant(s) reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicant(s) further reserve(s) the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

In accordance with MPEP Sections 609 and 707.05(b), it is requested that each and every document cited (including any cited in applicant's specification which is not repeated on the attached Form PTO-1449) be given thorough consideration and that it be cited of record in the prosecution history of the present application by initialing on Form PTO-1449. Such initialing is requested even if the Examiner does not consider it to be prior art for any reason, or even if the Examiner does not believe that the guidelines for citation have been fully complied with. This is requested so that each document becomes listed on the face of the patent issuing on the present application and is evidence that the Examiner has considered the document.

This Information Disclosure Statement is being filed:

I) ☒ Within three (3) months of filing the subject Application or entry of the subject Application into the national stage or before mailing of the first Office Action on the merits of the subject Application or a request for continued examination thereof, whichever event occurs last pursuant to of 37 C.F.R §1.97 (b); or

II) ☐ After the period specified in (I) but before the mailing date of either a final Official Action under 37 C.F.R §1.113 or a notice of allowance under 37 C.F.R §1.311 whichever occurs first and;

1. ☐ the undersigned hereby states that each item of information listed on the Form PTO-1449 was either (i) cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of this Information Disclosure Statement or (ii) not cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, not known to any individual designated in §1.56(c) more than three (3) months prior to the filing of this information disclosure statement; or

2. ☐ the undersigned hereby authorizes the Patent Office to charge the fee in the amount of \$180.00 under 37 C.F.R. §1.17 (p) to Deposit Account 50-3355.

III) ☐ After the period in (I) and (II) but before the payment of the issue fee and,

1. The undersigned hereby states:

a) ☐ that each item of information cited on the form PTO-1449 was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three (3) months prior to the filing of this Information Disclosure Statement; or

b) ☐ that no items of information contained in Form PTO-1449 was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement; and

2. ☐ The undersigned hereby authorizes the Patent Office to charge the Petition fee in the Amount of \$180.00 under 37 C.F.R. §1.17 (p) to Deposit Account 50-3355.

Except for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-3355.

Respectfully submitted,


Caleb Pollack

Attorney/Agent for Applicant(s)
Registration No. 37,912

Dated: August 10, 2006

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Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Complete if Known	
				Application Number	10/036,490
				Filing Date	January 7, 2002
				First Named Inventor	MERON, Gavriel
				Art Unit	1641
Sheet	1	of	3	Examiner Name	COUNTS, Gary W.
				Attorney Docket Number	P-2038-US1

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	A	US-4,278,077	Jul. 14, 1981	Mizumoto	
	B	US-4,239,040	Dec. 16, 1980	Hosoya et al.	
	C	US-4,439,197	Mar. 27, 1984	Honda et al.	
	D	US-4,803,992	Feb. 14, 1989	Lemelson	
	E	US-5,042,486	Aug. 27, 1991	Pfeiler et al.	
	F	US-5,109,870	May 5, 1992	Silny et al.	
	G	US-5,211,165	May 18, 1993	Dumoulin et al.	
	H	US-5,330,427	Jul. 19, 1994	Weissenburger	
	I	US-5,429,132	Jul. 4, 1995	Guy et al.	
	J	US-5,479,935	Jan. 2, 1996	Essen-Moller	
	K	US-5,558,640	Sep. 24, 1996	Pfeiler et al.	
	L	US-5,800,350	Sep. 1, 1998	Coppleson et al.	
	M	US-5,837,196	Nov. 17, 1998	Pinkel et al.	
	N	US-5,913,820	Jun. 22, 1999	Bladen et al.	
	O	US-5,916,176	Jun. 29, 1999	Caillouette	
	P	US-6,099,482	Aug. 8, 2000	Brune et al.	
	Q	US-6,149,581	Nov. 21, 2000	Klingenstein	
	R	US-6,285,897	Sep. 4, 2001	Kilcoyne et al.	

FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No. ¹	Foreign Patent Document		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³	Number ⁴ Kind Code ⁵ (if known)				
	S	JP	6285044	Oct. 11, 1994			<input type="checkbox"/>
	T	JP	7111985	May 2, 1995			<input type="checkbox"/>
	U	JP	2002-010990	Dec. 5, 2001			<input type="checkbox"/>
	V	WO	97/45720	Dec. 4, 1997			<input type="checkbox"/>
	W	WO	98/07366	Feb. 26, 1998			<input type="checkbox"/>
	X	WO	99/32028	Jul. 1, 1999			<input type="checkbox"/>
	Y	WO	00/22975	Apr. 27, 2000			<input type="checkbox"/>
	Z	WO	01/08548	Feb. 8, 2001			<input type="checkbox"/>
	AA	WO	02/55984	Jul. 18, 2002			<input type="checkbox"/>
	AB	EP	1 002 229	Jan. 14, 2004			<input type="checkbox"/>

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

The collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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				Filing Date	January 7, 2002
				First Named Inventor	MERON, Gavriel
				Art Unit	1641
Examiner Name	COUNTS, Gary W.				
Sheet	2	of	3	Attorney Docket Number	P-2038-US1

U.S. PATENT DOCUMENTS					
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	AC	US-6,369,812	Apr. 9, 2002	Iyriboz et al.	
	AD	US-6,395,562	May 28, 2002	Hammock et al.	
	AE	US-6,475,145	Nov. 5, 2002	Baylor	
	AF	US-6,488,694	Dec. 3, 2002	Lau et al.	
	AG	US-2001/0035902	Nov. 1, 2001	Iddan et al.	
	AH	US-2002/0001695	Jan. 3, 2002	Tajima et al.	
	AI	US-2002/0015952	Feb. 7, 2002	Anderson et al.	
	AJ	US-2002/0103417	Aug. 1, 2002	Gazdzinski	
	AK	US-2002/0173718	Nov. 21, 2002	Frisch et al.	
	AL	US-2002/0177779	Nov. 28, 2002	Adler et al.	
	AM	US-2002/0198439	Dec. 26, 2002	Mizuno	
	AN	US-2003/0020810	Jan. 30, 2003	Takizawa et al.	
	AO	US-2003/0023150	Jan. 30, 2003	Yokoi et al.	
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FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ³ Number ⁴ Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
	AP	FR 2 688 997	Oct. 1, 1993			<input type="checkbox"/>
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		Application Number	10/036,490
		Filing Date	January 7, 2002
		First Named Inventor	MERON, Gavriel
		Art Unit	1641
(use as many sheets as necessary)		Examiner Name	COUNTS, Gary W.
Sheet	3	of	3
		Attorney Docket Number	P-2038-US1

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (where appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	AQ	Video Camera to "TAKE" - RF System Lab, December 25, 2001	<input type="checkbox"/>
	AR	"New Smart Plastic has Good Memory" - Turke, European Medical Device Manufacturer, devicelink.com	<input type="checkbox"/>
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¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

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